

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America, <p style="text-align: center;">Plaintiff,</p> v. Tevin Jay Maurstad, <p style="text-align: center;">Defendant.</p>	<p style="text-align: center;">Case No. 18-CR-0300 (1) (SRN)</p> <p style="text-align: center;">ORDER GRANTING APPLICATION TO PROCEED <i>IN FORMA PAUPERIS</i></p>
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SUSAN RICHARD NELSON, United States District Judge

Defendant Tevin Jay Maurstad has applied for *in forma pauperis* (“IFP”) status on appeal from the denial of his motion for relief under 28 U.S.C. § 2255. *See* Doc. No. 208. Maurstad was determined to be financially unable to obtain an adequate defense at the outset of this matter, *see* Doc. No. 20, and he therefore qualifies for IFP status on appeal without further authorization, *see* Fed. R. App. P. 24(a)(3). Nevertheless, to make clear that Maurstad may proceed IFP on appeal, the IFP application will be granted.¹

¹ Although the Court declined to issue a certificate of appealability, Maurstad’s appeal is not frivolous as the Supreme Court has defined that term. *See Moore v. Haas*, Civil No. 2:13-CV-12225, 2013 WL 5819593, at *6 (E.D. Mich. Oct. 29, 2013) (“The standard for granting an application for leave to proceed *in forma pauperis* . . . is a lower standard than the standard for certificates of appealability.”); *accord United States v. Youngblood*, 116 F.3d 1113, 1115 (5th Cir. 1997).

CONCLUSION

Based on the submissions and the entire file and proceedings herein, **IT IS HEREBY ORDERED** that the application to proceed *in forma pauperis* of defendant Tevin Jay Maurstad [Doc. No. 208] is **GRANTED**.

Dated: March 26, 2024

s/Susan Richard Nelson
SUSAN RICHARD NELSON
United States District Judge